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S O M E
Curſory Remarks
O N
A Late Printed Paper,
C A L L E D,

*The laſt Speeches and Dying-Words of Captain Thomas
Green, Commander of the Ship Worceſter; and of
Captain John Madder, chief Mate of the ſaid Ship, &c.*

S H E W I N G,
Not only the Groſs and Manifeſt FALSHOODS of theſe Impoſture Speeches;
but likewiſe, how they are INCONSISTENT with themſelves, even altho'
they had been Genuin, as they are not.

C O N T A I N I N G A L S O,
A Real and Short Account of the Unbecoming and Lamentable BEHA-
VIOUR of theſe Wretched Criminals, before, at and after their Trial, till
the very Hour of their Execution on *Leith-ſtairs*, the 11th Day of
April 1705.

T O G E T H E R W I T H,
A Clear tho' Tranſient C O M P U T A T I O N of all the Scandalous and Calum-
nious STORIES which are maliciously Propagated by the *Mercenary*
Tools, Vile Proſtitutes, and other Deluded Friends of the ſaid Captain
Green and his Flagitious Crew.

P R O V: xviii. 17.
*He that is firſt in his own Cauſe, ſeemeth Juſt; but his Neighbour cometh and
ſearcheth him.*



E D I N B U R G H:
Printed by *James Watſon*, in *Craigs-Cloſs*, on the North ſide of the Croſs,
M. DCC. V.

A Late Printed Paper.

Captain John M. ...
 Green, Commandant of the ...
 The last ... of ...

they had been German, as far as I know, but likewise, how they were not even the same species. Not only the Grah and Maclellan, but the whole species.

the very heart of their legislation on child labor, as one of their first bills
voted on their Watched Children's Bill, as one of their first bills
A Real and Short Account of the Working and Living Conditions of the



A clear the Transient Committee of all the Associations and Colleges
 from stories which are maliciously propagated by the
 Press, the Proprietors, and other Public Bodies of the United States
 and his Religious Community.

It is not in his own hands, but in the hands of the people.

Printed by James Watson, in Glasgow, for the Proprietors of the Glasgow.

Some Cursory Remarks, on a late Printed Paper, called, The Last Speeches and Dying Words of Captain Thomas Green, Commander of the Ship Worcester; and of Captain, John Madder, chief Mate of the said Ship, &c.

AS I cannot well frame an Excuse, for the Remissness of either the *Fiscal* or *Clerk* of the High Court of Admiralty, or of both, in not having to this Hour Printed and Published (according to the Judge's Order,) the whole Process and Trial of Captain *Green* and his Crew, with the subsequent Confessions of some of their own Number; which would undoubtedly have fully satisfied, at least all the Judicious and Unbiassed part of Mankind, as to the exact fairness of the said Trial; so on the other hand, I never as yet heard of a Precedent, either in this or any other neighbouring Kingdom or State, where Persons Condemned for atrocious Crimes upon a fair Trial, according to the Solemnities requisite by the Laws of the Country, and going to Death obstinately without Confessing, were Indulged so far, as to have their Speeches (whether Pretended or Real) when reclaiming against the Justice of the Court, permitted to be avowedly Printed, Sold, and spread among the ignorant People; (and much less ought the same to have been allowed in this Case,) at least untill the Trial itself had been first Printed; because, that without seeing the Trial, or at least some true Account thereof, many harmless well-meaning People must of course be grossly imposed upon by such Libels; especially in this Country, where we have so little Experience of that unaccountable Obstinacy with which the generality of all Pirates over the whole World do usually go to Death, as shall be shew'd hereafter.

And tho' it be a very disagreeable Office, to rake up the dung-hill Ashes of those unhappy Miscreants, who have been so very lately the miserable Objects of the ignorant and fluctuating Mob's unaccountable Fury and Pity, within the compass of some few Minutes time; yet the due regard that I have to the just Vindication of the Government, the Judges of the High Court of Admiralty and their Assessors, appointed by Her Majesty's most Honourable Privy Council, the Gentlemen of the Jury or Assize, the Witnesses, Accusers, and others any way concern'd; and for the Vindication too of the Justice of the Nation in general, (all which, are most impudently, tho' without any Ground, arraign'd by the Authors of these Sham-Speeches) induces me to undertake the Drudgery of pulling them to pieces, and of confuting them, in such manner, as that the most casual Reader cannot fail of discovering very easily, both the Fallacies and Falshoods with which they abound.

I shall begin with the Title Page, which runs thus: *THE LAST SPEECHES AND DYING-WORDS OF CAPTAIN THOMAS GREEN, &c.*

Here is a clear and positive Lie in the very Front of it; for (abstracting from Captain *Green*'s not being the real Author of that which is falsely call'd his Last Speech, as most certainly he was not) how can that be justly call'd one's Last Speech and Dying Words, which he neither Read nor Pronounc'd on the Scaffold, or any where else all that Day; and of which several Copies were industriously dispers'd, and expos'd to the View of Hundreds of Persons, both Divines and Laicks, several days before the Execution? Yea, it cannot be deny'd, but that a Copy thereof was sent to Mr. *Hammond*, one of Captain *Green*'s Owners and Freighters at *London*, on the 3d. of *April*, which was full eight Days before the Execution; with this Difference only, that (as I am Inform'd,) the Frothy Apology pretended to have been made by Captain *Green* for a certain Gentleman one of his Lawyers, was left out of that Copy. And the same Objection holds likewise good against the Title of Captain *Madder*'s pretended Last Speech, for farther Reasons, which shall be given, by and by, when we come to consider his Speech in particular.

Then as to the Matter and Style of these pretended Speeches, there is no Man of Sense who had the least Knowledge of Captain *Green*'s mean Education, and meaner Capacity, (laying aside the Obscurity of his Birth, which shall be touch'd hereafter,) but will easily perceive by the Law-Phrases and Scoticisms contain'd in his said pretended Speech, to-

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gether with the Artificial Turns of Thought and studied Evasions couch'd throughout the whole, (far different from what was Natural to him,) that he was not the Author of it: For Proof whereof, (laying aside the Sentiments of Hundreds of Persons who convers'd with Captain *Green*, and read his said pretended Speech) I refer the Verity of what I urge upon this head, to the Testimony of the chief Persons now living of Captain *Green's* own Crew, viz. *John Reynolds* his second Mate, *Charles May* Chirurgeon, and *Thomas Linsford* Assistant to the deceased Supercargo, who of all the Crew from the highest to the lowest, writes the finest Hand, and by much the best Sense among them. And any one that has a mind, may satisfy himself, whether all these three Persons have not severally acknowledg'd to several Persons of Credit, that they positively believed Captain *Green* to have been no more Author of that pretended Speech, than any of them was. And I suppose, no Man can reckon their Testimonies partial against their own Countryman and Friend, especially in a Matter that can signify so little to them. Yea, Mr. *Robison*, a very honest ingenious *English* Gentleman, Secretary to her Grace the Dutchess of *Buccleugh*, declared frankly in the *German-Coffee-House*, that upon his first reading of Captain *Green's* said pretended Last Speech, he saw plainly that it was made for him by some other Person: For that tho' he had been frequently in Company, and convers'd Familiarly with Captain *Green*, he could discover nothing in the said Speech that he could reckon to have been Naturally Captain *Green's* own Matter or Words, excepting only one single Passage about the *Black Antonia Ferdinando*; which he said he had heard Captain *Green* insist upon. But beside too, the Stile of Captain *Green's* Journals, and several Letters of his own Hand-writing, which are to be seen in the Clerk of the High Court of Admiralty's hands, have so very little Affinity with the Stile of this pretended Speech, that it seems altogether inconsistent with common Policy, (laying aside Honesty) to publish a Speech under the Name of Captain *Green's*, which Hundreds of Lawiers and others know to be compos'd wholly of the very same Words, Phrases, and Topicks, that have been frequently made use of in Coffee-Houses, Taverns and other Places, by a certain Lawier, (lately nick-nam'd *Cog Commodo* by the *Coal-Dealers*) in defence of his Client Capt. *Green*. Yea farther, the said pretended Speech is written by *William Burner*, who has been all along the same Famous Lawier's ordinary Amanuensis and Errand-bearer in most of all his Actions for Captain *Green*, both in the Civil and Criminal Process, which has been carried on against him in the said Court, which, together with several other Circumstances sufficiently well known, but too tedious to be here narrated, leaves us little room to doubt who was the real Author of this worthy Speech.

If what is above said be not enough to convince any unbiass'd Person, that Capt. *Green's* said pretended Speech is not Genuin, I shall be bound to prove further, That several Words thereof have been quite changed, and others amended since the time of the Execution, to adapt it the more naturally to the Occasion: Which indeed any Person may see, by comparing the different Printed Copies with the only Sign'd Original in the Clerk of the Tolbooth's hands.

But now, supposing this pretended Speech had been really Captain *Green's* own, (as it is not) let us enquire a little into the sincerity of the Allegations therein contain'd, and what regard any considering Person ought to have to it. In order to which, I shall Faithfully Transcribe it, Paragraph by Paragraph, and subjoin some few Remarks thereupon, that the Reader may at once have a fair View of both the one and the other; and then judge accordingly.

Good People,

Before I Die, I think it my Duty to Advertise you of many Things where-with my Enemies do asperse me and my Company. We are condemn'd as Pirates and Murderers, on a Coast far distant from this Place. Is there any of you who wants either a Friend whom we have Murder'd? or whose Goods have we taken? We have lived in this Place since July last, can any say we have injur'd them? and yet we pass under this Imputation of the worst of Men, without either Religion or Probity.

Tho' the framing of sham-Speeches for dying Criminals be a Custom much in Use, especially in our Neighbouring Nation, yet the Authors of such are commonly pretty cautious, in avoiding such Words as may seem to reflect directly on the Justice of the Court that condemns them: But here in the very beginning of this pretended Speech, the deliberate Judgment and unanimous Sentence of Seven Learned and Honourable Judges, upon the Verdict of an Assize consisting of 15 Gentlemen of very honest and fair Characters, and after a most solemn and fair Trial which lasted above 14 Days, is reckon'd to be no other than (forsooth) a meer Aspersion.

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Then the Speech-Maker (whom we'll suppose to be Captain Green) proceeds and tells the People, that he and his Company are Condemned as Pirates and Murderers, which is a positive Lye; For tho' they were accused of Piracy, Robbery, and Murder, yet they are condemned only for Piracy and Robbery, but not for Murder; because the Murder was proved only by one Witness. It is true indeed, that the subsequent Confessions of some of his own Crew, after the Trial was over, do make the Murder likewise very plain and positive; but they are not condemned on any of these Confessions.

We come next to the Consideration of three Queries, that the Speech-maker thought fit should be propos'd for the condemn'd Criminals, by way of Challenge to the whole Crowd of Spectators: *Is there any of you who wants a Friend, &c.* What the Design of these affected Interrogatories has been, is very easily seen through; but sure I am, the Querist could never have imagin'd that any of the Spectators came there to answer any such Questions, or to accuse any of these Criminals whom they knew to have been already condemned, and under Sentence of immediate Death, altho' they had had never so much to have said against them.

Yet nevertheless it might have been very justly and pertinently answered to such amusing Queries, That, Yes truly, We want our Friends, Ships and Goods too; viz. Captain Robert Drummond, and Captain Alexander Stuart, Commanders, Captain Thomas Drummond Supercargo, and both the Crews and Cargo's of two small Ships that Sail'd together from the River Clyde, in May 1701; upon a Trading Voyage beyond the Cape of Good Hope; and that being neither the Directors of the Indian and African Company of Scotland, who fitted them out, nor none of their own Wives, Relations, or other Friends, have ever to this hour, had the least Line or other certain Intelligence of or from any of the said Commanders, or the Crew of either Ship, since their Letters dated at the Cape of Good Hope the 7th of January 1702; We have too much Ground to believe that they fell into the Hands of Ill Men: And that altho' true it is, that Captain Green and his Crew were neither accused, committed, indicted, try'd, nor condemned for the Robbing or Murdering of Captain Drummond, or any of the aforesaid Persons who sail'd in company with him, (as will evidently appear by the Trial it self, tho' the contrary be most falsely and maliciously, and with a great deal of industry too, spread amongst all degrees of People, by Captain Green's worthy Friends, Factors and Agents of both Sexes) yet the subsequent amazing Confessions of some of Captain Green's own Crew, since the Trial, and the many signal Characters of Providence pointed out to us throughout all the Steps of the wonderful and unexpected Discovery of those horrid, cruel, and unnatural Crimes which have been committed by him and his Crew, with all the premeditated Secrecy that their wickedness could invent; do sufficiently absolve us from the charge of uncharitableness, tho' we retain a strong Impression of the horridness of their Guilt, and a shrewd Suspicion too of their having likewise meddled with some or other of our Friends above-mention'd; at least untill we have a clear Proof and Satisfaction to the contrary, which I am not expecting in haste. And as to the Religion and Probity of these condemned Criminals, we shall have occasion to touch it in our Remarks on the next Paragraph.

I was Educated in the Religion of the Church of England, and I die in that Faith: Aboard our Ship twice I was Commander, the Prayers and Service of the Church were read Morning and Evening; and the Seifers of the Worcester will find there, both Bibles and Prayer-Books. In relation to the Crimes for which I stand Condemn'd, I Declare that one cannot hope to see GOD in Mercy, if he die with a Lie in his Mouth: And if a Man be condemn'd to Death for a Crime, under the hazard of losing his Soul, he ought to Glorify GOD by owning his Guilt, and shewing a sincere Repentance if he be Guilty. Pursuant to which, I, in the Presence of Almighty GOD, declare to you his People, That I am Innocent in Design or Deed, and free from the Crimes for which I am condemn'd. That to my Knowledge, I never all my Lifetime wrong'd Man in his Person or Goods, or had Accession thereto. What the Custom of Pirates is, I thank GOD I know not: But I understand my Accusers and Persecuters will have you to believe, that I think it unnecessary to Confess before Men. Take what I say as good Christians ought to do; if you have no Charity, you wrong your selves, and cannot hurt me.

Here is such a Complication of most disingenuous and notorious Falshoods heap'd together, that we may thereby very justly, without any breach of Charity, measure the Reality and Sincerity of all the other Parts of this pretended Speech.

The Speech-maker tells us; *That Captain Green was Educated in the Religion of the Church of England, and Died in that Faith.* Tho' at the same time, any Judicious Person who had occasion to converse familiarly and seriously with him, could not but discover from the shallowness of his Natural Capacity, the coarseness of his Education, and his untowardness to perform any Religious Duties, even at the last Action of his Life, that he was but a sad Proficient either in the Knowledge or Practice of the Religion of the Church of England, or of any other Christian Church: For, tho' the Knowledge and Practice of Religion and Religious Performances ought to be most steadable to a Man at the hour of his Death; yet Captain Green seeing Death approaching, (contrary to that vain Expectation with which he was unaccountably fed all along, both by Letters and otherways, to the very last, that he would get a Reprive, if not a Remission, even at the Gibbet) his Behaviour on the Scaffold was so very stupid and confus'd, that he could not so much as Pray for himself, tho' he was earnestly desired by the Ministers who waited on him, so to do; nor could he give any pertinent or sensible Answer to these ordinary Questions about Religion or Faith, that were very gravely put to him by the said Ministers.

Aboard our Ship twice I was Commander, &c. What occasion there was to insert such a palpable Lie in this pretended Speech, I cannot understand; For, to say that Captain Green commanded either the Ship *Worcester*, or any other Ship whatsoever, before this last Voyage, is such a manifest Untruth, that any one of his own Crew (even the most obstinate among them) cannot refuse to contradict it, if question'd thereupon; as I verily believe he would have done himself, had he been ask'd the Question when he was alive: So that truly the most natural and charitable Construction that I can put upon this Passage (and indeed upon several others of the same Speech) is, That Captain Green gave an implicate Acquiescence to whatever his Speech-maker thought fit to palm upon the People, under the shadow of his unhappy Client's borrow'd Name. Nor can this Suggestion seem any ways constrain'd, when we reflect duely upon the Words immediately following.

The Prayers and Service of the Church were Read Morning and Evening. This Assertion is so very flat and bare-fac'd a Lie, that the contrary thereof has been often acknowledg'd even by Captain Green himself, and by every individual Person of his whole Crew, when they little thought of this Speech: Yea, his chief Mate Captain *Madder* being question'd on the Scaffold, by one of the Ministers that attended him on that occasion, *How often they used to have Prayers on Board their Ship?* He answered, *Not oftener than once a Week at most, on the Sunday-Mornings.* But indeed the true Matter of Fact in relation to that Point, is as followeth: Captain Green Sail'd from the Downs, outward-bound, on the very same Day that King William Dy'd, the 8th of March 1702. They had no Chaplain aboard, nor none that ever officiated as such, during their whole Voyage, except the Supercargo Mr. *Gallant*, who read Prayers generally every Sunday Morning, till they made the Cape of Good-Hope out-ward; but then, the Chirurgion Mr. *May*, who commonly acted the Clerk's part, by setting the Psalm, &c. asking the Supercargo, *If they should have Prayers that Morning?* he answered thus, *No, no, Doctor, we must leave our Religion here behind us, and take it up again when we come back.* After which time, (I mean after their having past the Cape out-ward) they very seldom or never had any thing like the Prayers or Service of any Christian Church, read or said Aboard of that Ship, except twice or thrice before the Supercargo dy'd: And I do positively maintain, by the concurring Testimonies of all the Crew, (yea of the most obdur'd amongst them) that from the time of the Supercargo's Death, which happen'd at the Cape of Good-Hope on the 4th of March 1704, to the time of the Ship's being leis'd in the Road of *Leith* on the 12th of August following, they never had any Prayers or Service of any Church read aboard. And particularly, both Mr. *Reynolds* the second Mate, and Mr. *Lintstead* the Supercargo's Assistant, have severally regretted in Prison, that their Captain should be so far impos'd upon, as to die owning such a palpable Lie; for that they assuredly knew this pretended Speech was none of his making: And if what I aver upon this head be not found to be substantially true by any intelligent Person that will give himself the trouble to enquire into the verity thereof, I'll be bound to change Characters with the real Author of this pretended Speech. By all which, I question not but the Judicious Reader will easily perceive how little regard ought to be had to that which is call'd the *Last Dying Words* of these unhappy Wretches, notwithstanding all the Speech-maker's empty Braggings of their Religion and Probity.

As to their having Bibles and Common-Prayer Books on Board; I think that should be thought rather an Aggravation than an Extenuation of their Impiety, since they so scandalously neglected and contemned the making use of them. But the truth is, those who search'd Captain Green's Desk, Chest of Drawers, two small Cabinets, and Chest, with the Supercargo's Scrutore and Drawers, found no Bible in either of them, nor any Common-Prayer-Book, but one.

The putting of the question in the first Paragraph, *Can any say we have injur'd them?* and Captain Green's solemn Declaration of his Innocence in Design or Deed; and that he never in all his Lifetime wrong'd Man in his Person or Goods, or had assention thereto; is such a superlative

lative Degree of spotless Purity, as leaves no room for making any other Reflection upon it, but that from their Cradles they were either Saints or Devils.

What the Custom of Pirates is, I thank GOD I know not. This is such an affected piece of Ignorance, as affords just Ground of more than ordinary Suspicion; for I would gladly know what Man ever commanded a Ship to the *East-Indies*, and was tolerably capable of that Charge, but has both heard of, and understood the Custom of Pirates in many respects? And tho' perhaps the Author of these few Remarks may have as comprehensive a Charity, as most of his Acquaintance for Persons differing from him in Opinion, both as to Religious and Civil Concerns; yet he is not ashamed to own, that his Charity is very much flinted with relation to these condemn'd Criminals, notwithstanding all the noisy Arguments that this Speech-maker and his Adherents would infer from Captain *Green*, *Madder*, and the Gunner's having dy'd without Confession of any Guilt: And for my own part, I do sincerely believe, that the hardning of some Peoples Hearts at the hour of their Death against all manner of Conviction and Impenitence, so as not to confess their Sins, is a part of the Judgment inflicted upon them by GOD Almighty, for the atrociousness of such heinous Crimes as these miserable Criminals are most justly condemn'd for.

I am told some of my Crew have confessed the Crimes and loaded us with Guilt; this is done since Sentence, and in hope of saving themselves, which I wish they may do by Lawful means, and not have accession to the shedding Innocent Blood. I am a Dying, these are still in hopes to live, chuse you which of us to believe.

It's evident, that the whole Design of this Paragraph is to amuse the People with such an Impression of the pretended Words of a Dying Man, as would make them regardless of the Confessions of some others of the Crew, as being after Sentence; and that the Emitters of these Confessions were in hopes of Life. To obviate which, I shall only desire the Reader to cast his Eye back on what I have said already, as to Captain *Green*'s being buoy'd up all along with such assurances of Life, as that he could not, with any tolerable Patience, endure to be put in mind of Death: And on the very day of his Execution he told the Clerk of the Tolbooth very early in the Morning, That he believ'd they would carry him down to the Gallows, to frighten him into a Confession, but that he made no doubt of being brought back again; and was in some time thereafter very inquisitive, whether the Privy-Council was not a meeting, for that he expected there would be an Express that Morning from Her Majesty concerning him, and his Crew: Yea, when he was upon the Ladder, he turn'd up the Gloath off his Face two several times, no doubt, in expectation of some Reprieve: And after his being half off the Ladder, he grasp'd with Hand and Foot to recover himself back again, till *Madder*'s stern Frown (against which the other was not Proof) frighten'd him at last into a surprising and unwilling compliance with Death. From the consideration of all which, I suppose few reasonable Men will put any thing contain'd in this pretended Speech, (which was concerted when Captain *Green* had little thoughts of Death) with the concurring Confessions of Persons, who (tho' doubtless highly Criminal) may be justly consider'd but only as Accessories, when compar'd to Captain *Green* and *Madder*, under whose Command they had the great Misfortune to have been: And from their very entering upon a Confession, it's plain, that they had greater Apprehensions of Death than Captain *Green* had; and consequently their Testimonies ought to obtain greater Credit, than the obstinate Denial of a Person, who from the Sense of his being the principal Criminal, could have less Hopes of Forgiveness, even upon a Confession.

As to the false Witnesses that were admitted against us, what may they have been practis'd, GOD knows; and I hope time will bring it to Light. As to the Negroes, this Country knows not their perfidious and revengeful Temper, and upon Trial it will be found, that Antonio Ferdinando (as he is now called) was not in our Company 48 Hours on the Coast of Malabar, but was taken in at Anjango, immediately before we went to Bengal; and that the Sloop was lost six Weeks before ever we saw his Face. The Chirurgeon Mr. May's Deposition is much upon hear-say; tho' I find he Humours the malicious Plot more than he ought to do, for which I Pray GOD forgive him.

Here is Impudence with a Witness! No less than a scandalous Accusation against all the Judges, without any manner of Qualification, for having admitted (forsooth) false Witnesses against honest Captain *Green* and his innocent Crew! Well, one might have reasonably thought that the Grave Reprimand given by the Judges, to a certain Lawier, in Face of

Court, for his unaccountable Behaviour during that Trial, would have terrified both him and his Journey-Men, from having ventur'd upon such a confuted Piece of desperate Villany, as this audacious Charge. But it seems it fares with them, as with a poor unhappy Girl, that's once put into *Bridewell*, she knows she has no more Reputation to lose. If a Criminal have not fair-play for his Life in a Justice-Court in *Scotland*, I dare freely say, there is no Criminal-Court in *Europe* where he need expect to meet with it. It is well known, there has not been one single Witness admitted in this Trial, but who (after having been question'd upon his Age, Faith, Religion, and other necessary Qualifications) was forewarn'd of the Danger and Import of an Oath, and then Sworn most solemnly, That he would tell the Truth, and nothing but the Truth; That he had no Prejudice or Ill-will against any of the *Pagnels* at the Bar; That he got no Good-deed, or promise of Good-deed, for giving Evidence against them; Nor was suborn'd, advis'd or directed, how to Swear, or what he should say in this Trial. Yea, moreover, such of them as had formerly given any previous Declarations of their Knowledge in this Matter, upon a Precognition before the Lords of Her Majesty's most Honourable Privy-Council, saw these Declarations cancell'd before their Faces, and were told by the Judges, that nothing contain'd in these Declarations, could, in any respect whatsoever, militate against either the Declarants or *Pagnels*; and that without any manner of Restraint, they were now at full Freedom to Declare the Truth according to their Consciences, even altho' the same should contradict their former Declarations, or any part thereof: Nor was there any one Witness permitted to converse with, or hear an other Depose. So that it was absolutely impossible to have us'd more Precognition in the Admission of Witnesses, than was done in this Trial.

As to the scandalous Insinuation of *Fore-practising these Witnesses*; I would gladly know, whose Interest it could have been, to have done so? or to what end? If at all, we must suppose it to have flow'd from one of two; either the *Government*, who caus'd pursue them, or the *Indian and African Company* of *Scotland*, who seiz'd the Ship and Cargo. It could not be the latter; For they having seiz'd the said Ship and Cargo, upon account of Reprisal, to their own proper behoof, it could not be their Interest to have the Captain, his Officers and Crew condemn'd either as Pirates, Robbers or Murderers; because thereby Ship and Cargo would naturally have falln into the Government's hands, under the head of the Criminals Escheat-Goods confiscated to Her Majesty's use. And upon the other hand, it's evident, that the Government had no manner of View in the prosecuting of these Criminals, but only their seeing of Justice done upon Pirates, the common Enemies of Mankind. For, the said Ship and Cargo, which would otherwise have Naturally falln into their hands, as aforesaid, was previously adjudg'd, by a solemn Decree, in Favour of the said *Indian and African Company*, upon the Score of Reprisal only, without any manner of relation to a Criminal Indictment. However, the Villainy of this scandalous Imputation shall be further considered in another place.

Now after so clear an Account of the just Precantions us'd by the Judges in their admitting of Witnesses; and of the ridiculousness of any alledg'd undue Practising of either of them, it may seem a very needless Trouble both to the Reader and myself, to touch the Speech-maker's Reflection upon the Temper of *Negroes*, as if (forsooth) they had not their different Tempers, Humors, Inclinations and Interests, as well as we *Europeans* have: Nor is it scarcely possible to give a truer instance thereof, than appear'd in the Person of *Antonio Ferdinando* the Black, (whose Testimony Captain *Green's* Speech-maker vainly endeavours to invalidate) and *Antonio Francisco*, Captain *Green's* Menial Servant: The latter is (by all that I could learn of him) very Smart, Cunning, Bold, and much given to Drink; but the former, viz. *Antonio Ferdinando*, was by much (as I verily believe) the Gravest, Soberest, the Quietest, the most Temperate, most Moral, most Religious, and in his own way, by all appearance, the best Christian too of Captain *Green's* whole Crew. To say, that he was not 48 Hours in Captain *Green's* company on the *Moloch-Coast*, is a meer Subterfuge and Evasion, which *Antonio* himself clear'd at the Trial thus: That he had not indeed stay'd Aboard Capt. *Green's* Ship till near the time that they were coming off the Coast; but that he was for several Months before that time with Mr. *Loveday* the Purser on board the Sloop, and was actually wounded in the Arm, while he was an Actor in the Engagement which Capt. *Green* had with a Ship that he took on that Coast. And the saying, That Mr. *May* in his Deposition humours the malicious Plot, is a most untoward spurning in the Face of Providence, when it is notoriously known, that Mr. *May* was twice beaten back to *Scotland*, after his departure, by Sea, for *London*; and was thereafter ready to have taken Journey by Land for *Newcastle* that very Morning on which he was seiz'd: Which makes it evident, that the Divine Goodness did not permit his departure hence, till he had given his Testimony, both as to what he saw and heard, with relation to this Matter. And really there have already appeared so many remarkable Instances of an extraordinary Providence in the whole progress of this Affair, that a particular History thereof is intended apart.

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The Presumptions made use of against me are, such as I could have satisfied the Court in, had I been allowed to prove my Grounds of Exculpation; but my whole Defences were repelled; and I gave in a particular Condescendence of the Place and Time, when and where my Cargo was Laded, taken out of the Books; and it will appear, that it agrees with the Inventory; and there is not a weighing of Anchor, or the least Sailing on the other side of the Line, which was without the Supercargo's Written Orders, pursuant to my Instructions from my Owners, and these are to be found with my Papers. I shall only add this for your Information, that I went not a roving out of the Road of our Trade and Commerce; that I never had occasion to shoot Powder or draw a Weapon in Wrath during the whole Voyage: And I would have the considering World to examine, if ever a Master of a Ship went a Pirating for Owners or Freighters, and returned to Europe, or to the Port from whence they came.

Well! here's another discreet Out-cry, which this worthy Speech-maker thought fit to make against the Justice of the Judges, for having repell'd Captain Green's excellent Defences and Grounds of Exculpation; tho' at the same time, any judicious Man who reads the Trial cannot but see that the real Design of this Paragraph, as well as of the whole pretended speech, was only to impose upon ignorant People's Belief, by a meddly of specious Amusements and false Allegations. For as the said pretended Grounds of Exculpation were to very improbable and ill founded; that upon Sir Walter Pringle's conferring with Green himself about them, two of them were by his Advice deleted and scored out, even after they had been quite printed; so the rare Method proposed for proving these alleged Grounds, was likewise ridiculous to the last degree; which was thus: All the Pannels divided themselves in two several Classes, and each Class raised separate Letters of Exculpation, for proving something or other contrary to, or (as they alleged) inconsistent with their Masters of Fact upon which they were indicted and thereafter Condemned; and the Innocence (or guilt) of each Class of these Criminals, was to be made appear by the reciprocal Testimony of the other Class, which upon the Matter was neither better nor worse than if they had said, Ask our Brethren-rogues, whether we are not honest Men!

Nor can it be denied, but that after they had parted from the Coast of Malabar, where they committed the Piracy, they went to Bengel, which is about 700 Leagues backward, quite out of their Road of Trade; & they staid in that Place Rioting and Debauching near Seven Months together, during which time it could have been no difficult Matter for them to have made their Books suitable to the Cargo that they intended to have carried home to Europe; especially since, under the notion of Mending a Leake, they both unloaded and loaded their Ship again while they staid in that Place: Nor can this be thought a groundless Suspicion when we consider, that several of their Books have many Blanks in them, Leaks cut out in other places, some Parts written with different Hands and different Ink too, with other Presumptions too tedious to be here narrated.

But how the Speech-maker happen'd to make mention of the Owners and Freighters Instructions, is somewhat surprizing to any that have ever read them; for I am sure they contain some very unaccountable Articles, which shall be enlarged upon in a more proper place. And if Captain Green be the first Master of a Ship that was ever sent a Pirating for proper Owners and Freighters, all that I shall say to it at present is, that there are many People in England much mistaken on that head.

I must take this Occasion to Honour and Justify a Gentleman, one of my Lawyers, who is unjustly reproach'd by his Countrymen, for assisting me against the violence of my Persecutors. He told me six Weeks before I was imprison'd, of an evil Report rais'd & spread, of my having murder'd a Captain Drummond and his Crew, and tak'd his Ship, and entreated me to call if there was any ground for that Report, and has ever since laboured me to Confess, if I was guilty: But I maintain'd always, as to this Action of my Life, I declare my Innocence, and that I never knew till I came to Scotland, that such a Man was at Sea; so there was no occasion to harden me, as has been falsely said. And if I were guilty of the Crimes I stand condemn'd for, I think myself bound by a publick Confession to glorify God's Justice.

The Malice of my Enemies must be very great, that they'd have me deny a Law-defence, and by raising false Reports to terrify my faithful Lawiers from giving me their assistance. I am oblig'd to that Gentleman, who has patiently suffered Reproach without a Cause, for my sake; and who has not been frighten'd from his duty, but manure Spite and Calumnies, maintained the Cause of innocent oppress'd Strangers, for which God I hope will reward him.

Now, if this be not a true Specimen of the Speech-maker's Modesty and Self-denial, I shall let any Man judge. For how was it possible for him to have over-acted his part in a more extravagant and ridiculous manner than thus, under the borrowed Name of Captain Green, to insert and cause publish two entire Paragraphs, containing nothing imaginable, but only a fullsome Panegyriok in his own Vindication, and Commendation; and since it is so, I shall presume to inform the Reader a little, of what I suppose gave occasion to it.

I shall not at this time give my self the trouble of tracing this worthy Lawier through all the Steps of his admirable Management for his Clients, during the dependence of their Trial; lest that my making of any Remarks on his Behaviour in that Matter might seem, in some sense, to import, that I thought the open Reprimand which he got from the Judges in face of Court, on that account, had not been a sufficient Punishment. But I shall only touch a further Particular that happen'd in some short time thereafter.

Mr. Robert Sandilands, one of the Reverend Ministers of Edinburgh, having, from a Pious regard to the condition of Captain Green, who was then under Sentence of Death, made him a charitable Visit for the sake of his Soul; and exhorting him to a serious consideration of a Future Sentence in all appearance he was not likely to live long, told him, That since the Law had condemn'd him for Crimes of a very high nature, he could not but believe himself guilty of them, and therefore, that as he ought to Confess and Repent for all his Sins, it was best to Confess those Sins in particular which had brought so heavy a Judgment upon him; and since then without a sincere Confession and Repentance, he could not expect Salvation, or Words to that effect. Whereupon this worthy Lawier being then present, was pleas'd to say to Captain Green, That as it seem'd and seem'd still, he was not oblig'd to Confess to any Sin, as far as that if he confess'd them to God, he might be forgiven. At which Mr. Sandilands being much amir'd, gave him a gentle and grave Rebuke, for advancing so dangerous an Opinion, especially to one in Captain Green's Circumstances; and then told Captain Green himself, That since God knew all the Secrets of his Heart, without Confessing, it was necessary for the Manifestation of God's Power and Glory, that he should Confess before Men, that they might take example from him to beware of falling into the like snares. But our Lawier having (it seems) during the course of five or six Months before, made as great a Property of Captain Green in all respects, as Captain Maudslott had done formerly when at Sea, his Doctrine seem'd much more agreeable to him, than any thing the Minister could urge; and so the Minister came away and left them. An Account of this surprizing Encounter happening, all of a sudden, to reach most People's Ears in Town, and becoming thereby the Subject of their Discourse, our Lawier thought it convenient to go, and predispose Captain Green (which he dare not deny) for another Visit from Mr. Robert Sandilands; and then went to Mr. Sandilands, and after several Importunities, prevail'd with him to go and see Captain Green again, that he the said Lawier might have an opportunity of excusing himself, by referring to Captain Green's Word, in what look he had taken what our Captain had so rashly utter'd some days before, about Confession; but by all that I could hear, the Apology did but little mend the Matter. And therefore it was thought necessary to make this Mountebank-speech so comprehensive, as to be a sovereign Remedy for all their Diseases; yea against Hanging it self, if possible. But however, we see there's no Cure against Death.

But before I part with this Speech-maker's Apologizick Encomium, he himself must desire the Reader to take notice how the supposed Murder and Robbery of Capt. Drummond and his Crew, is obliquely brought in there, and upon other occasions too, with this view, that if perchance at any time thereafter, it should seem to us, by any contriv'd Stratagem, or real unexpected Accident, that Capt. Drummond fell not in Green's way, then we must conclude (forsooth) that Capt. Green was wrongfully condemn'd, and died innocent of the Crimes for which he was accus'd; tho' nothing is more certain, than that he was neither Accus'd, Indicted, Tried nor Condemn'd for the Robbery or Murder of Capt. Drummond or any of his Crew; as will manifestly appear by Capt. Green's Trial, which in my humble Opinion ought to have been printed before now, or at least before any thing like a Toleration or Permission had been given to the allowed printing of such a scandalous Sham-speech as this, that was calculated meerly to gull well-meaning People out of their Senses.

I think it not impertinent to take notice here likewise, that tho' it be very well known that, over and above the Ship commanded by Capt. Robert Drummond, there is another of our Indian and African Company's Ships a-missing, which was commanded by Captain Alexander Green, and of which Captain Thomas Drummond, Brother to the said Robert, was Supercargo; and yet in all the Indian Defences obtruded upon us in behalf of Captain Green, there is never the least mention made of the said Capt. Green, or Capt. Thomas Drummond in particular, so as to distinguish him from Capt. Robert, but mentions always Capt. Drummond in the general, with a view to serve both purposes, as occasion may offer.

In the Harbours of Uncharitableness, which at this time abounds, Men may think that albeit I be free from Piracy, Robbery and Murder, yet I must needs be guilty of gross Sins which have drawn on me this Judgement: For God is Just in all His Doings.

For your Satisfaction please know, That I believe no Man can free himself from Sin, which is GOD'S Mercy in the Merits of Jesus, do not prevent, deserves Death both Temporal and Eternal. Men in a Sea-faring Employment, whatever they may do to keep themselves free of gross and Immoral Lices, cannot do all those Duties of Religion, that private Men and Priests have the opportunity to practise. But for my part, I bless God that I have always had a Reverence for Religion and Religious Matters, and that by his Grace I have been kept free from any gross or unnatural Crimes, which by the Laws of Men or Societies deserve Death, or an ignominious Punishment. So I shall only repeat the Question our Saviour made, Were those Persons on whom the Tower of Siloam fell, greater Sinners than you are? &c.

It's the will of God that this befall me, and I thank his Goodness that gives me the opportunity of dying deliberately with all due Preparation, which possibly I would not have had either at Sea, where I have been in great danger, or in Sickness, when Men are neither willing to think of Death, nor able to undergo a necessary Preparation for it. And feeling I could not imitate my Saviour in his Life, he has blessed me with the opportunity of following him a little at his Death, as far as I die for Crimes I am not guilty of.

Very good all. The two former Paragraphs being chiefly intended for an Encomium on the Speech-maker's Fidelity and Generosity to his Clients, it was but reasonably just that on the other hand, these three last Paragraphs should be instead of a Funeral Oration on the spotless Life and Death of Honest Captain Green: For in the very Preface of it, we are charged with the height of Uncharitableness, if we believe not the latter part thereof, which makes him as free almost from all mortal Sin, during the whole course of his Life, as (to use his own Creed's ordinary Phrase) the Child unborn. And then, by way of Challenge, retorts a Scripture-charge on all the Uncharitable Spectators, as if he had said, I have any manner of sin, which is not a greater Sin than I am? to be charged to judgment I was.

That there were certainly great Sinners Witnesses to Capt. Green's Execution, is a position that I believe none will deny. But I reckon that (without any great breach of Charity) few or none of them would, upon the result of serious Consideration, compound at this time to be, at the respective places of their several Deaths, in the like Frame and Temper of Body and Mind that he was then in.

It is the Will of God that this befall me, &c. What stock of Impudence is this, to make a Mock of the great End of Religion, which is, Living and Dying well? Well! this is honest Propriety and Impiety (I had almost said Blasphemy) to dare adventure on comparing the Death of such a miserable unhappy Wretch, with the Death of the Holy and Disembled JESUS, the Great and Wonderful Saviour of Mankind. If the palming of such an unaccountable Imposture-speech on the ignorant Crowd, be past over in silence, and unconfuted, it's hard to tell how far the Impressions thereof may make them mistake Vice for Virtue, and Virtue for Vice. How was it possible to have inverted the Truth to a greater degree, than to tell us confidently that Capt. Green had made an error in the Will of God, and died deliberately with all due Preparation? When at the same time we know perfectly well, that, instead thereof, he was Drunk for two days together after he had received Sentence of Death; That he excused himself (When challenged thereupon) that he could not sleep without Drink; That it was always

a mighty uneasiness to him, when any of the Ministers spoke, to him, either about Faith, Religion, or preparing for Death; and that he still endeavour'd to shift any such Discourse by hanging down his Head, and returning no Answer: That during his Imprisonment, he never said Grace before or after Meat, till he was Condemned; That he so very little expected to die when he did, that the very Morning of the same day, on which he was executed, he reckon'd upon being carried back again to Prison, even from the Gallows foot: That tho' he went flantingly to the place of Execution, as one that had no concern upon him; yet when he despair'd of getting the Reprieve or Remission which he expected at the Gibbet, he became quite stupid and confus'd, without having the power of answering pertinently to any Question that was put to him by the Ministers who attended him on the Scaffold: Nor could he so much as Pray for himself, tho' he was intreated to have done so; but said that he had Prayed already that Morning, by Book: that which nothing could be a greater Demonstration of profound Ignorance; for in the whole Common Prayer-Book, there is not one Prayer adapted to a person in his Circumstances; and that which comes next to it, being a Prayer for the Sick, has a Petition in it to *restore him to Health again*. But finding at last that, up the Ladder he must go, he dropt upon his Knees at the foot thereof, as if he had meant to Pray, but said not one Word: And, while he was in this Praying-posture, one of the Ministers questioning Captain Madder about the frequency of Prayers being read aboard the Ship; Madder answered, *Not above once a Week, on the Sundays*: Whereupon Captain Green, leaning his Body backward to listen to their Conference, and over-hearing the Minister's Reply, that Captain Green had said, *Prayers were read every Morning and Evening*, Green turn'd his Head hastily and said, *He had not said so, but that he meant every one had read Prayers to himself*. Which Passage alone, were there no other, is sufficient to overturn the Reality and Sincerity of this pretended Speech.

Now as all these may serve for so many Instances of the purity and sanctity of Captain Green's Life, and of his sincerity and contrition at his Death; so may they for proof of the veracity and ingenuity of the worthy Lawyer that framed this pretended Speech for him.

Rest satisfied and assured, that ere long, you shall know the mistake this Nation has run into our Case, when the Truth will not help us.

It was not enough in the former Paragraph, to have profanely compared Captain Green's Death with the Death of our Saviour, but in this Paragraph, he must also pass for a Prophet, fore-telling future Events; however, I'll be St. Thomas in this Case, I'll believe it, when I see it, but not before.

I forgive all Men, and desire to Die in Charity with you all, requesting your Prayers to GOD for my poor Soul. I bid you and the World farewell.

THO' GREEN:
Really, of this whole pretended Speech, I do own that this last Paragraph, is the most properly adapted to Captain Green's Case, and best suited to the occasion: But still the scandalous dissimulment of all the rest, and the emitting of it the whole long before he had any Thoughts of Dying, because of the repeated Assurances that were given him, from time to time of a Remission, does sufficiently plead our exemption from the charge of Uncharitableness, if this last Paragraph too obtain a little Credit with us, as all the former.

What further I have to say about the Premises, shall be reserved till I take more transient View of Captain Madder's pretended last Speech, the Printed Title of which is as followeth.

The last Speech of Captain John Madder Chief Mate of the Worcester, commanded by Captain Green.

It is an old Saying, That a Work begun with Lying, commonly ends so, because indeed a Lie cannot be supported any other way but by another. And if ever that Saying was more verified in any respect than in the contrivance of these Sham-Speeches, I shall willingly undergo the Reader's just Censure: Here, as well as in the former, the very Title is a Lie both in Fact and in Form; for it is not only quite different from the Title of that which

is call'd his Last-Speech, sign'd by himself, and lying in the Clerk of the Tolbooth's hands; but, allowing it were, yet how can it, in any propriety of Speech, be call'd his Last-Speech, when it's well known, that he lived upwards of ten days, after it was openly shew'd both to Divines and Laicks, and after that several Copies thereof were dispers'd amongst his Friends and Acquaintances.

As to the Author of it, I am told that the rough Draught of it was wholly his own; and am very apt to believe that it was so, because I am positively inform'd by some who read it, that it was the roughest and most undigested Rhapsody of ill connected Oaths, Curses and Imprecations, that ever was seen, (the natural Offspring of such a Parent) which was afterwards very charitably lick'd over by a certain Hackney-Speech-maker, who gave it the finishing Stroke; but was much confus'd as to his Invention, because *Madder's* own Draught was so unadvisedly expos'd before he was consult'd about it: However, we'll take it for granted, that *Madder* himself was the Author thereof, and so only consider the sincerity of its Contents, which begin thus:

I Here declare in the presence of God, and before all these People, my Auditors and Spectators; That I, nor any of Captain Green's Crew, never committed Piracy, Robbery or Murder, or had Accession thereto in our whole Voyage: Nor I at any other time during my Life, upon any sort of Ships, Boats or Barks, or any other thing that moved on the Water, of any sort of Language, Nation or People, whether European, Asian, African, or American, or of Scots, English or Dutch, if the Words of a dying Man may be believed, by giving of this Solemn Oath, in the presence of God, and all these People, which Oath all Christians may think and be sure of, that I would not step into Eternity with a Lie in my Mouth, and if I did, there would be no Remission for my Immortal Soul from my Great and Omnipotent Judge and Saviour, by whom I hope by unfeigned Repentance, I shall be saved.

By this it may appear, how little Regard this impious Wretch had to the import of a solemn Oath, when he so flatly and positively swears, that which was impossible for him to have known, as I think I am able to prove to a Demonstration; yea to the Conviction of *Green's* two famed Lawyers, Mr. *Spariswood* and Mr. *Alexander*, if they be so candid as to own the same.

Captain *Green* carried with him from England, in the Hould of his Ship, the Frame of a large Sloop, with Masts, Yards, Sails, Rigging, Anchors, and all other suitable Necessaries ready to be clapt together, and fitted up, how soon they had past the Line: Which Sloop was accordingly fitted up at *Delagoa* on the East Coast of *Africa*, opposite to the Island of *Madagascar*.

By the Freighters and Owners Instructions, they were to Correspond by Cyphers, and this Sloop was order'd to be dispatch'd to the Island *Mauritius*, near *Madagascar*, with a Letter all written in mystical Numbers and Character: of which they had the Key along with them; which shall be considered at large in another place.

A certain Number of Captain *Green's* Crew were put aboard this Sloop with Provisions, &c. They navigated the Sloop alone, till they afterwards arrived on the Coast of *Malabar*, the Place of Rendezvous appointed for the Ship and Sloop's meeting together again.

During that part of their Voyage, and sometimes too, while they were on the *Malabar* Coast, Captain *Madder*, who was constantly aboard the Ship, lost sight of the Sloop for many Days and Weeks together, at several times, as cannot be deny'd by the most inflexible of the whole Crew; which being so, how was it possible for Captain *Madder* to have known but that those on board the Sloop might have committed either Piracy, Robbery, or Murder, or all the three, and other Crimes too, at such times as they were quite out of his Sight and Hearing, tho he were never so innocent of them? And beside too, it is alledged by several of the Crew, by way of Exculpation, that they were ashore, some two, some three Months together, while the Ship and Sloop were sometimes twenty, thirty or forty Leagues distant from them; and the whole Crew was thereafter ashore at *Bengal*, rioting in and about that place, near seven Months together: By all which it is evident, That it was likewise impossible for Captain *Madder* to have known, but that some of the Crew might have committed Robbery, or Murder, or both, when they were ashore, and he aboard, or indeed when all of them were ashore: Yea, when at any time the Supercargo, Captain *Green* and others were ashore, buying and sending off Goods to Captain *Madder* when he was aboard the Ship, tho they had been never so honestly come by in his Opinion, yet these very Goods might have been robb'd from People ashore, and the

true Owners thereof Murder'd by some of the Crew: So that this Oath of Capt. *Madder's* is very extraordinary & unwarrantable; nor could it have been for any other End, but only to engage the rest of the Crew to do the like for him, & to prepossess all such as should see the same before the Day of Execution, with a favourable Opinion of the whole Crew's pretended Innocence, that thereby a Reprieve or Remission might be the more easily obtain'd; and if it were not so, why should he have propos'd to have this his pretended last Speech printed several Days before his Execution? But howsoever, as *Madder's* Life was one intire Scene of Cursing and Swearing, so, being (it seems) resolv'd to make his Exit suitable to his Life, he proceeds and Swears on thus:

My Oath is such, Here I swear in the presence of GOD, and before all these People, nothing but what is Truth, as I must Answer before my Impartial Judge when call'd to Account at the Great day, If I be guilty of these False and Calumnious Accusations that I'm Condemn'd for, viz. Piracy, Robbery and Murder; That the Great GOD of Heaven and Earth, that Minute my Immortal Soul departs my Body, it be thrown to utter Darkeness, where there is nothing but Weeping and Gnashing of Teeth.

Tho' the Self-Inconsistency of *Madder's* execrable Oaths and imprecations, be very demonstrable from what I have already said; yet here again we find him tripping most egregiously, in Swearing to a positive Falshood, viz. *That he was condemn'd for Piracy, Robbery, and Murder*; tho' it be manifest, not only by his Trial, but likewise (if that were needful, as it is not) by the Joint Testimonies of many hundreds who heard the Sentence pronounced, in his own presence and hearing, that he was Condemn'd for Piracy and Robbery only.

Now why he should thus, in so solemn a manner, Attest the Great GOD of Heaven and Earth, that he was condemn'd for Murder, when it was not well possible for him but to have known that he was not so, is what I shall not take upon me to determine; but however, his own poor Soul knows the consequence of it before now.

But as I'm Innocent of these False and Calumnious Accusations that I'm Condemn'd for, I trust in my Great and Merciful GOD, by the Mediation and Intercession of my Lord and Saviour JESUS CHRIST, on whose Merits I Confide and Rely, will Graciously Pardon all my other Sins Committed in my Lifetime, whether of Omission or Commission, or Thought, Word or Deed, which are all known to him who is Omniscient, for there is nothing hid from him, with whom we have to do.

All that I can naturally observe from this is, that (after the copy of that which is call'd *Green's* Speech) neither the one nor the other do acknowledge themselves to have been guilty of any particular Sin, nor do so much as in the general own, but that they were at least as innocent of all manner of sins whatsoever, as any of the rest of Mankind; and *Madder* does here plainly insinuate a canting Reason why it's needless for him to confess, because God is omniscient, and that nothing is hid from him; which is indeed very agreeable to the common Doctrine of all Pirates, and (which is more) to the solid Opinion of their late Law-Casualts.

And GOD knows, and I hope due time will discover the Practises of some Persons, who have been at great Pains and Zeal to Cheat us out of our Lives, by False and Perjur'd Witnesses, which I appeal to GOD to be true, and I am Innocent, and Innocent Blood will call for Vengeance on them that is the Cause of shedding it. God forgive them, and I forgive them. Farewel.

JO. MADDERS.

Well! This is a rare way of imposing upon the weak Judgments of some unthinking People: He first of all presupposeth evil Practices in the corrupting of Witnesses; then he hopes that these Practices may be discovered in due time; and thereafter appeals to GOD that what he supposeth must (forsooth) be true; tho' at the same time, he tacitly acknowledgeth, that he had not as yet discovered whether that which he had supposed was in Fact true or false. If this be not plain from his words, I shall own that I do not understand either *Scots* or *English*.

Had there been the least real Ground for any such scandalous Inimities, we should (no doubt) have heard of them after another manner long before now, both at the Barr and elsewhere: But since there is no particular Accusation adduced to this hour, against any person whatsoever upon that head, save only some ridiculous flying Stories of a Cock, and a Bull, and a Hen, which cannot with the least shadow or appearance of Reality, be traced so as to amount even to a tolerably well grounded Suspicion; I see no necessity why I should give my self the trouble of enlarging further upon it at this time; especially considering, that it would be at best but fighting against a Shadow.

Yet knowing, that the Malice and Envy of Capt. *Green's* mercenary Tools and Friends, would gladly in revenge (if they could) fix any thing like a seeming Blot upon the *Indian and African Company* of Scotland, and such as have been subservient to their Orders in seizing Captain *Green's* Ship the *Warcester* and her Cargo, and in getting the same adjudged to their own proper use and behoof, by a Decree of Reprisal, which they have accordingly obtained by due course of Law; and knowing likewise, that more than ordinary Industry has been used for raising groundless Dust upon that head, I shall for the respect which I bear to that Honourable and National Society, put their part of this Matter in its just light.

As has been touch'd already in the Remarks on Capt. *Green's* pretended Speech; Of all the Men in *Scotland*, the *Indian and African Company*, and their Agents and Factors could have by far, the least View of any particular Interest or Advantage to themselves, by the condemning of Captain *Green* and his Crew for any capital Crime whatsoever: For as they had an establish'd Interest in the Right and Property of Capt. *Green's* Ship and Cargo, upon account of Reprisal as aforesaid, so it can never be reasonably supposed, that they or any for them should have taken any sinister Measures, or bear any Expence to fix such Crimes on Captain *Green* and his Crew, as might probably raise no less Rival against their own particular Interest and Right to the said Ship and Cargo by Reprisal, than the Queen and Government upon account of *Escheat*. Yet such a due regard had the Directors of the Company to the Honour of the Nation, and to the common Good and Interest of Mankind, as being preferable to their own particular Interest for the time, that when, in the prosecution of their own Right of Reprisal, there came to their hands, by an Express from *Bruntisland*, a Letter containing a discovery of Captain *Green's* having, together with his Crew, committed Piracy, Robbery, and Murder, on the Coast of *Malabar* in the *East-Indies*; which Letter, being founded on the surprising and unexpected Declarations of two of Captain *Green's* own Crew, the Directors were all so struck with the horror of these atrocious Crimes, and so fully convinced of the truth thereof, by the manner of the Discovery and other Presumptions which had formerly come to their Ears; that they immediately by an Act of their Court, appointed two very worthy Gentlemen of their own Number, viz. Sir *Francis Scott*, of *Thuristane*, and Mr. *Patrick Campbell* of *Monzie*, as also Mr. *Mackenzie* their Company's Secretary, to go and communicate the said Letter to the then Lord High Chancellor, who thereupon granted Warrant in due Form, directed to the Masters of Privy Council, and Magistrates of *Edinburgh*, *Leith* and *Bruntisland*, for seizing and imprisoning Captain *Green* and his Crew, till further Orders: After the Execution of which Warrant, neither the Directors of the Company, nor their Secretary, nor any other Person concerned as Agent or Factor for them, did at all, either directly or indirectly, meddle in the Prosecuting of these Criminals for their aforesaid Crimes; but minded only the carrying on of their own civil Process for adjudging the Ship and Cargo by way of Reprisal, in which they truly met with some Difficulties, by reason of the said Piracy, &c. which otherways they could not have met with.

Yea, when thereafter the Company's Secretary had represented to them, that one of the Masters of the High Court of Admiralty had left a Copy of Letters of Intimation to him, as alleged Party concerned, to appear a Diet for the Trial of Captain *Green* and his Crew, within sixty days after the said Intimation; and that in respect he had not (from first to last) done any thing with relation to either Captain *Green* and his Crew, or to the Ship and Cargo, but what he had done by the special Order, Warrant, and Appointment of the Court of Directors, he expected to have their Orders and Advice at that time likewise, how to behave with relation to the said Letters of Intimation; the Directors then unanimously resolved, that tho they thought it a Duty incumbent on them, and on all Honest Men, to have represented to the Government what had happen'd to come to their Knowledge of these horrid Crimes charged upon Captain *Green* and his Crew; yet they thought neither themselves nor their Secretary at all concerned to be at either the Expence or Trouble of prosecuting the Criminals; that being (as they conceiv'd) the Part of the Government, and advised their Secretary likewise not to meddle in it any more than needs must: Which Resolution was (I dare say) nicely observed by them all; for tho Mr. *Mackenzie* the Company's Secretary owns indeed, that he was as diligent as he could well have been, in carrying on the Civil Process about the Ship and Cargo, till he obtain'd a Decree therein, and was more than ordinarily concerned to be so, because the Process was all along carried on in his own Name, as Factor for the Company; yet as to the Criminal Process, he was so great a Stranger to it, and to the whole Management there-

As, that he knew not so much as who were to be cited as Witnesses, till after the List was closed, and given out with the Indictment, so as none other could have been added to it: Yea, further, tho Mr. *Mackenzie* had as much Liberty as any other Person whatsoever, to have gone into any one of all the Prisons, and to have conferred as freely with either the Pannels or Witnesses as he had thought fit: And tho it was generally taken for granted, that he had actually done so; yet he having formerly, in the Court of the Civil Process, upon account of Reprizal, had full Experience of the mean mercenary Malice, and Villanous, tho disappointed Contrivances of Mr. *John Spaulwood*, and Mr. *George Alexander* (Captain *Green's* two constant Lawyers) against his Reputation in particular, as being the Chief Instrument in seising *Green's* Ship, for which (by the by) both they and their unhappy Client were forced to cry *pecunia* very solemnly in face of Court, as may be seen by the Records; and having considered likewise, that tho before that time he had never given the least Cause of Offence to either of those now famous Lawyers, yet their open Ungentlemanly Resentment against him upon the account of that and some other subsequent Indignities, for which they had only their own Ignorance, and unadvised Acts of Precipitancy to blame, swell'd so high as, that he firmly resolved within himself, even to supererogat (if possible) in point of Precaution, during the whole Dependence of both the Civil and Criminal Process, so as not to give these clamorous and litigious Gentlemen the least colour or pretence for raising any invidious Calumny against him, or against the Honourable Society, by whose Order and Warrant he acted; and therefore, tho severals of the Crew sent for him at several times, both from the Castle and Tolbooths where they were Prisoners, desiring that he might speak with them, as probably believing him to be the Party chiefly concern'd, tho he was not; yet he absolutely declined to have any manner of Correspondence, or Communication with any of them, whether Pannels or Witnesses, at least until the Trial were once over: And as he asserts, that this can be verified by the Testimonies of such Persons as carried these Messages to him; so he appeals to the Testimonies of all the Officers and Servants of the Castle of *Edinburgh*, and to all the Keepers and Servants of the Tolbooths of *Edinburgh*, *Canongate* and *Leith* (the only four places where any of the Crew were kept) whether any one of them saw him within the Walls of either of these Places, for near about three Months time together, before the closing of the Trial.

Notwithstanding all which, these two delinquit Lawyers (whom I have heard often than once call'd the Scandal of the Faculty of Advocats) with the zealous Assistance of Captain *Green's* full as mercenary Factors, Agents, and other scandalous Underlings, have been at abundance of undue Pains to possess Man, Woman and Child, wherever their Words could obtain any Credit, with a most Malicious Opinion, that Captain *Green* and his Crew had owed all their Misfortunes chiefly to Mr. *Mackenzie* for having seised their Ship, &c. tho at the same time, nothing is more certain, than that all these unhappy Wretches owe their Misfortunes to their own inhuman Cruelties, wicked and ungodly Lives in all respects, and to the Extremities upon which these Lawyers preposterous Advices have run them. And if these two Law-leeches, with their Underling Agents, had had no more sinister Designs upon making all along a Property of Captain *Green*, by sucking the Blood out of his and his Supporters Pockets in all Events whatsoever, than (I believe) any Man concerned with, or for the *Indian* and *African* Company of *Scotland* had upon the Lives of these miserable Miscreants (except in so far as the publick Government of a Nation may think it self obliged to, execute Justice on such horrible Offenders) I reckon we should not have been half so much pester'd with such Numbers of Villainous Lies, and ridiculous groundless Stories as have been for sometime past industriously propagated here, and transmitted daily to *London*, and approved there to a most extravagant and uncountable degree.

To go through all the Ridiculous Stories that are newly coin'd every succeeding Day would be an endless Drudgery, worse than that of going through *Green's* and *Mackenzie's* pretended last Speeches: But however, beside what is already said (which indeed might serve for a general Confutation of them all) I shall touch the most seemingly material of them likewise in particular:

It is given out, yea (I am told) printed at *London*, That the two Blacks, viz. *Antonio Ferdinando*, and *Antonio Francisco*, who gave Evidence in Captain *Green's* Trial, were Christned here in *Scotland*, merely with Design to qualify them the better for being admitted as Witnesses to swear Captain *Green* and his Crew out of their Lives.

Tho this deserves no particular answer, as being wholly fictitious; yet to undeceive such as may otherways be imposed upon thereby, I do assure the Reader in the first place, that neither the one nor the other of them was ever directly or indirectly baptised in *Scotland*. But on the contrary, *Antonio Ferdinando* was born of Christian *Portuguese* Parents, at *Anjango* on the Coast of *Malabar*, in the *East Indies*, and was Christned in his Infancy by a *Portuguese* Priest, as are likewise Thousands of the Natives on that Coast; and they are all of them taught some smattering Jargon of the Popish Religion: But indeed this

Antonio Ferdinando was such a Proficient, that he was able to give a good Account of his Faith, and had the ordinary Popish Prayers, with several religious Songs and Antems most exactly by heart. He was observed to be very serious, and frequent at his Devotion, in his own way, especially on the Sundays, and of his own accord, when aboard; was at abundance of Pains in instructing two young black Boys that belong'd to the Ship; and corrected them always with a small Bundle of Rods, which he kept for the purpose; when ever he found them to have either neglected or forgotten what he taught them: One day a certain Gentleman of the Popish Persuasion, who came aboard, observing this, had the curiosity to catechise *Antonio Ferdinando* upon the common Heads of his Religion, and was astonished to find him much more knowing about it than was expected; Yea, at last, he expostulated with the Gentleman, how it should have come to pass that all the People in this Countrey are said to be Christians, and yet he had never heard Mass since he came to it. All which, beside many other Indications that can be given of his being a Christian before ever he came hither, is a more than sufficient Confutation of the scandalous Story above-mention'd. Yet in further Confutation thereof, with relation to the other Black *Antonio Francisco*; he was born at Bengal in the East Indies, and christned when he was about nine or ten Years old, by a Priest, at the desire of one Madam Prow a Dutch woman, whom he served as her Boy: She Married one Mr. Long, or Lang, an English Ship-carpenter, who, after her Death, carried this *Antonio Francisco* along with him to Siam, where in some time thereafter he engaged himself with one Mr. Fenwick the Supercargo of a Ship belonging to Fort-St. George. From Fort-St. George, he went along with the same Mr. Fenwick to Delagoa on the East Coast of Africa, at which place Captain Green, meeting with the said Fenwick, who was there as Supercargo of a Ship belonging to Fort-St. George, call'd the *Santa-Rosa*, and commanded by one Captain Whaley, they became so great all of a sudden, that Green prevail'd with Fenwick to let him have this *Antonio Francisco* for his Interpreter, and engaged to give him 30 Shillings Sterling per Month Wages: And when Captain Green was thereafter at Bengal in the Year 1703, this same *Antonio Francisco* and several others of Green's Crew, were at the House of Mrs. Susannah a Black, who was God-mother to this *Antonio Francisco*, and is Married to an English blind Fidler, and keeps a Punch-House there, and was very loath to allow her God-son to be carried to Europe out of his own Country. He being much wilder in his Temper than the former Black, has not made so large a Progress in the Knowledge of the Christian Religion, but knows as much of it, as will sufficiently verifie the truth of this Relation.

Another curious Story, of a Piece with the former, is, That when Mr. May the Chirurgien; one of the Witnesses, was giving Evidence in Court, against Capt. Green and the rest of the Crew; his Nose fell immediately a bleeding with so much vehemence, as that there was some difficulty in getting it stop'd; and that no sooner had *Antonio Ferdinando* sworn and given his Evidence in the same Matter, but that he immediately thereafter fell down dead in face of Court. This admirable Story is propagated at London, and (I believe) may be in time over all England, as a signal Demonstration of the Innocence of Captain Green and his Crew; Yea, Mr. May's Brother has actually written to him of it from London, and gives that as a Reason, why he'll neither Answer his Bills, nor furnish him any Money, at least untill he be satisfied about it.

I know the most Natural Answer that can be given to this Story is, That it is a Damnable, Hellish, Wicked Lie, as indeed it is, in all the Parts of it: But I would have any reasonable Man consider, to what State and Condition the Honour of this Nation is reduced, when our Government's doing Justice on the worst kind of Malefactors, is traduced in such an opprobrious manner; and when in Justification of the Proceedings of our Supreme Courts of Judicature, we must think our selves obliged to undergo the Pain, as well as Drudgery, of answering such ridiculous Stuff.

Is there any one Man of a great many hundreds that were present at Captain Green's Trial who can say, there was so much as the least pretence for raising such a wicked Story? No, I am sure there is none; for I was present all the while, and was near enough to have both seen and heard any thing that could have happen'd there worthy of being observed.

The Black, *Antonio Ferdinando*, was the first Witness that was call'd; and if upon his having given Evidence against the Pannels, he had happen'd to have died immediately in Court, I question very much, whether the Chirurgien Mr. May would have given his Evidence so very unconcernedly, as he did, immediately upon the back thereof. And if indeed the Black had happen'd to have died even in Court, I dare say neither the Doctor nor Apothecary who looked after him for some time before, nor any that knew him since he came to Scotland; could have thought it very extraordinary: For as he was many Months in a dying Condition, even before he arrived in Scotland; so it is well known, that by the Right Honourable the Earl of Leven's and Lord Advocate's Order, the Doctor and Apothecary of the Castle of Edinburgh did, under GOD, preserve his Life, mecerly with Cordials, for a long time before the Trial came on: And as

he was a dying Man by the course of Nature; so his Testimony ought to have the greater Weight; he lived indeed but nine or ten Days thereafter: He was very sensible to the last, and adhered to the Verity of what he had deposed. Five or six Physicians who visited him, declared that they thought he could not live, because (as they said) Nature was quite spent in him, and he was indeed worn to a thread, by the long continuance of a hectick Fever: And amongst the many signal Characters of a Divine Providence, which are pointed out to us in the whole Progress of the wonderful Discovery of this Mystery of Iniquity, from first to last, I think it is none of the least, that Captain Green and his Crew should, by the precipitant Advice of their two fam'd Lawiers above named, be so far infatuated, as to push on their own Trial, by way of Bravado, before this *Antonio Ferdinando's* Death, and that he should have lived long enough to have given his Testimony against them, altho he was spent, as aforesaid.

But to crown the two former, there is a third most Villainous and Calumnious Story forged by some Hackney-Scoundrel or other, and most industriously propagated amongst the *London-Mob*, in such a scurrilous and nasty manner, as that none but the Spurious Issue of some Mongrel Generation, who have wholly sacrificed all Sense of Generosity, Moderation, and Neighbourly Justice, to an unbridled Licentiousness, Fury and Madness, can either advance or give any manner of Credit to it. Which Story is Printed at London in a fullom and nauseous *Grub-Street* Paper, verbatim thus: *It is credibly reported, That the two Negroes, upon whose infamous and perjur'd Evidence Captain Thomas Green, his Mate, and Gunner, were convicted and executed, were kept such close Prisoners, that none but such Persons as were appointed, could have any Access to them, lest they should be tempted to betray the Villainy they had committed: But the better to conceal the wicked Measures and Practices the Scots have used in their late Barbarous Proceedings, the Negroes are since found dead in Prison, supposed to be poisoned, that they might not be prevail'd upon to confess the Truth, and recant their Evidence.*

This is such a compleat, tho compendious System of most calumnious, gross, and audacious Lying, that the contrary of all the Parts thereof is well known to thousands of Persons of all Ranks, Degrees and Sexes, who walk the Streets daily. Yes, for the Truth thereof, I dare appeal even to the Testimonies of the most subject and unworthy of Captain Green's own and his Crew's Agents and Prostitutes in this Place, providing they be oblig'd to give their Testimonies openly, before any Judge or Magistrate. But indeed, to their secret Whisperings, and such other indirect Ways, as they have hitherto used, I could as soon give Credit to the veracity of any abandon'd Rogue in the common Side of *Newgate*.

We see this Scoundrel-Author, first of all presupposeth, *That Captain Green and his Crew are convicted on the bare Evidence of the two Blacks only*; which is so notoriously false, that it deserves no other Answer, but only that it is a Lie, as will be seen by the Trial; for near half a Score other Witnesses gave very pregnant and convincing Evidence in that Process.

Then he impudently asserts, *That these two Blacks were kept such close Prisoners, that none but such Persons as were appointed, could have any Access to them.* And by the Sequel it's plain, that he meant after the Trial.

Before the Trial, indeed the Government thought fit to send *Charles May* the Surgeon, *Daniel Stringman* Cook, *Antonio Ferdinando*, and *Antonio Francisco*, the two Blacks, (all four of Captain Green's own Crew) to the Castle of *Edinburgh*, to be there kept Prisoners at large, as the Queen's Evidence, till the Trial came on; they having the liberty of walking and taking the Air any where within the Castle Walls: During which time not only their Friends and Acquaintances, but even in particular Captain Green's own Trustie Agents *Peter Stuart* and his Landlady Mrs. *Barclay* with many others whom I could name, had Access to the said four Persons, and conversed with them freely, as did likewise *Elizabeth Taylor*, Sister to one of the Criminal Pannels: So that now when these, and such as these had Access to them, I know not who should be hinder'd from them.

But since the Trial was over, *Charles May* the Surgeon, *Daniel Stringman* the Cook, and *Antonio Francisco*, one of the aforesaid two Blacks, that gave Evidence against Captain Green, are all three at full Liberty, and comes and goes whithersoever they think fit; yea that Black in particular, has been since that time aboard a *Dutch Man of War*, desiring to be intertain'd by the Captain, but could not agree upon Wages; so that the false Allegation of his being found Dead in Prison, and the Hellish Suggestion of his being poisoned, are equally groundless and ridiculous. And as for the other Black *Antonio Ferdinando* who gave Evidence likewise against Capt. Green, the manner of his Death is already sufficiently clear'd, and he was so far from having died in Prison, (as is likewise most falsely alledged) that he died on the 22d. day of *March* last, at an honest Private Man's House about the middle of the Town, where several Eminent Physicians and Chirurgeons visited him in compassionat Kindness, from a generous Sense which they intertain'd of his fair, candid, and equal Behaviour in the whole course of this Trial. And by Order of one of Her Majesty's Officers of State, had deservedly a creditable Funeral, at a modest Expence, to be repaid out of the Ship *Worcester's* Cargo.

Now the Matter being incontrovertibly so, That the Honour, Justice, Reputation, and Credit of a whole Nation, and of the Government too in particular, should be so daringly traduced, and bespattered by the nauseous and strotty Excrements that (no doubt) have dropt from the polluted and poisoned Brains of some Desperate Wretch or other, who is necessarily confin'd to his own loathsome Garret, and abandon'd by all that have a just Regard to the Comforts of human Society, is what, in my humble Opinion, the Guardians of the Rights, Laws, Liberties, and Interests of the Nation, will not pass over in Silence, without remonstrating, in good time, against the tollerating of such undue National Reflections; which can have no other Tendency, but the making of sour Blood, and creating of Discord, where there should be Concord.

A Fourth ridiculous Story, which I have heard is this, *That when Antonio Ferdinando, one of the Blacks, died, there were several Dollars found in his Pocket, which by consequence must be confuted to have been gotten no other way, but as a Reward or Bribe for his perjur'd Evidence.*

The Truth is, tho' his having had any small number of Dollars, or other Money in his Pocket at the time of his Death, would in common Charity be understood to be but a very weak Proof of his having been bribed; yet the perverseness of the generality of Mankind's Nature is such, as might render it somewhat suspicious, had it been true.

But alas! poor Creature, he was so far from having any such quantity of either Gold or Silver about him, or any way in his keeping or power, as could render his probity suspected, that the honest Man of the House where he died, with his Wife, Children and Servants (who, by the by, are pretty numerous) and the other Black and Cook formerly named, who were likewise present at his Death, are ready (if it were necessary) to Depone before a Magistrat, (as they have declared to the Author hereof) that he had not in all his Pockets any thing like Silver or Gold, or other Mettal whatsoever, that had any Impression upon it, except only two or three Ale-Tickets. Nor indeed had he occasion for any, because the Government had ordered him to be Alimmented at a shilling Sterling per diem, and ordered likewise a Physician and Apothecary to look after him. But as there is no Physics for Death but a Grave, so there is none for the Authors of infamous and groundless Scandals, but a Pillory.

But now comes the thundering and unanswerable Story at last, to wind up all the rest, viz. *That George Haines, one of Captain Green's Crew, had written a Letter to him, when in Prison, importing, as it is said, that he the said George Haines had offered a Bribe of One, Two or Three Hundred Pounds of Guineas (no body can tell which) if he would but condescend to be an Evidence against Captain Green and the rest of the Crew, &c. That Captain Green shew'd this Letter to several Ministers and others, who visited him in Prison, or at least told them the Contents thereof, thus for certain, the thing was true, and that Mr. Mackenzie, Secretary to the India and African Company, was suspected of having been the Person who had made Offer of this Bribe.*

This indeed is a heavy Charge, and deserves all the Punishment that Captain Green merited with it found true, but it's an old saying, *That one Tale is always good, till another's told.* It's strongly asserted by some, that George Haines did truly write some Letter or other from the *Causeway* Tolbooth to Capt. Green, then Prisoner in the Tolbooth of *Edinb.* but what the particular date of that Letter was, or what were the real Contents thereof, I could never to this hour distinctly learn; nor indeed could I ever persuade myself, that there was any Letter at all in the Case.

However this I know, that on the 2d or 3d. day of January last, Mr. Mackenzie coming home at night, his Wife assured him, that the Reverend Mrs. Barclay, Captain Green's Landlady, had propagated a Story amongst her Gossips in the Neighbourhood, as if the said George Haines had told her, or some other Woman of her Acquaintance, that Mr. Mackenzie had proffer'd him a Bribe of some hundred Guineas to Swear away Capt. Green's Life, &c. Mr. Mackenzie was very unwilling to believe, that any body could have so much malice and impudence, as to frame or spread that which he knew to be such a wicked and groundless Story. But his Wife re-assuring him that Mrs. Barclay had said so, he resolv'd (GOD willing) to go next Morning, and know from George Haines's own Mouth, whether he had said any such thing, yea, or not. The first Man of his Acquaintance whom he happened to meet next Morning, was Mr. Evander MacIver Merchant in *Edinb.* and one of the Partners of the Paper Manufactory, to whom he instantly told the said Story as aforesaid, and desired the favour of him the said Mr. MacIver to accompany him to the *Causeway* Tolbooth, in order to be Witness to any thing that should happen between him and the said George Haines; For that he was resolv'd to have no manner of Conversation with Haines alone, especially after the broaching of such a scandalous Story, whether Haines should own it or not.

These two having then immediately gone to the Tolbooth, Mr. Mackenzie call'd for the Keeper, whom he resolv'd should be likewise another Witness to any Communing that should happen between him and Haines, and the rather because he the said Mr. Mackenzie never had the least acquaintance of him formerly. They all three went accordingly into George Haines's Room, and Mr. Mackenzie telling him very gravely the oc-

casion of that Visit, and questioning him before these two Persons abovemention'd, concerning the Verity of the said Story; he swore very freely, *That he never had said or meant any such thing, and that as Mr. Mackenzie had never given any Ground for it, so none but Rascals and Villains would say to his Face that he ever said so; or Words to that effect.*

Whereupon Mr. *Mackenzie* desired him then to be so just, as to put what he had then said, in Writing, by way of Declaration, for obviating any such groundless and malicious Calumny for the future; which *George Haines* very readily condescended to, and gave the following Declaration written with his own Hand.

I *George Haines, belonging to Captain Green's Crew of the Ship Worcester, being informed, that some Person or other has raised a malicious Report, That Mr. Mackenzie had offered me a Bribe of several Hundred Guineas to swear against Captain Green and his said Crew, do hereby solemnly declare in the Presence of GOD, as I shall answer at the Last Day, that the same is utterly false and scandalous, and that none but a Rogue or Villain will assert it in my Face, that I said any such thing. In witness whereof, I have written and subscribed these Presents in the Canongate-Tolbooth the fourth Day of January, 1705.*

Evander MacIver Witness

Will. Telfer Witness.

George Haines.

When at any time thereafter Mr. *Mackenzie* heard some little Insinuations made about a Letter that (as was said at some times) he should have written (forsooth) to *George Haines*, and at other times, that *George Haines* should have written to Captain *Green*, concerning the Premises, he considered it always as some fictitious Dream founded upon Mrs. *Barclay's* ridiculous Clatters formerly mention'd; and never thought it worth his while to trouble his head about it; especially since he was sure that at the long-run, it must have of course vanished into Smoak.

However, I understand some surmise of it having come at last to the Privy Council's Ears, they thought fit the other day to make some enquiry into the Merits of that Story, and a Committee of the Privy Council being specially constituted for that effect, they call'd *George Haines* before them, and having examin'd him strictly upon the Premises, I am informed, that he gave their Lordships the following account thereof, viz. "That sometime after their Imprisonment, *William Burnet* (a certain worthy Amanuensis formerly mention'd in these Sheets) came to him where he then was, in the *Canongate-Tolbooth*, with an angry threatening Letter from Captain *Green* or *Madder* (I cannot tell which) charging him for having been the occasion of all their Misfortunes at that time, &c. and requiring such a satisfactory Answer in writing, as was thereby directed. That his fellow Prisoners *Keigle* the Carpenter, and *Robertson* the Gunner's Mate, together with the said *William Burnet*, hung over his head, and put him in such terror, that they made him write whatever they thought fit to dictate to him; but tho he does not clearly remember the full Contents thereof, yet he is sure, Mr. *Mackenzie's* Name was not mention'd therein, or to that effect. Whereupon their Lordships (as I am informed) have let it drop, as a foolish Story that had no real Foundation. And if *George Haines* were Examined upon Oath, he could not say, that since his giving the Declaration aforesaid on the 4th day of January last, Mr. *Mackenzie* was ever at the pains to speak, write, or send to him directly or indirectly on the head. And moreover, before any of the whole Crew was Imprison'd, *George Haines* was often threatened, and in so much Terror of being murder'd by the Gunner, Carpenter, and Gunner's Mate aboard the Ship at *Brantsland*, that for several Weeks together, he durst not venture to sleep in his own Hammock without a Centry, because of some Words he had rashly dropt at several times to his Mistress, and to others too, when overtaken with Drink; as can be attested upon Oath (if needful,) by upwards of twenty very Honest Men. Yea, the very Judges, Keepers of the *Canongate-Tolbooth*, and several others do know, that while *George Haines* was Prisoner in that Tolbooth, he very often intreated, by the Intercession of his Mistress and others who acted for him, to be removed from that, into some other Prison; and tells the Reason plainly now, as he did to Sir *Robert Forbes* at the emitting of his first Confession in March last, that he was in constant terror of his Life, by the Threats of *Keigle* and others of his fellow-Prisoners, if he would not do and say as they bid him. And upon Sir *Robert's* representing the same, the Lord High Chancellor sign'd a Warrant accordingly, for removing him to the Castle: So that if there has been any such Letter extorted from *George Haines*, as has been talk't of, whatever be the Contents of it, no Man of Generosity, Candor, or Ingenuity, can lay any manner of stress upon it.

I find, upon the whole Matter, Captain *Green's* Friends and Agents of all sorts, have all along made Mr. *Mackenzie* the chief Butt at which they darted all their Venom and Malice, for having been the main Instrument in seizing *Green's* Ship, which they reckon'd to have been the original and real, tho' at most it could have been but the accidental Cause of all the subsequent Misfortunes that have happen'd to *Green* and his Crew.

But on the other hand, Mr. *Mackenzie* asserts, that as what has been done by him, was in the Execution of a legal Order and Warrant, from a superiour Power; so upon all occasions he does not mince his Words, in giving an open Defiance to the whole Race of A-

dam,

day, to charge him justly with his having acted any one thing, directly or indirectly, from first to last, in relation to either Captain *Green* and his Crew, or to the seizing and adjudging of the Ship and Cargo, that, if duly examin'd, can in any just sense be reasonably construed to have been any way unbecoming either a Gentleman, honest Man, good Christian, good Country-man, or the Trust reposed in him by his Constituents; which Qualities are in no respect incompatible, one with the other. Neither has he been so rash or unadvised, as to have made any one material step in the whole course of this Affair, but what he has a legal and sufficient Warrant for, ready to be produced, even in Parliament, if occasion should so require: So that he may (as I dare say, he does) very much despise and contemn to the last degree, all the little, mean, unworthy, and under-hand Practices of such Mercurial Tools as *Spotiswood*, *Alexander*, *Stuart*, *Burnet*, and their Hackney Female-Confederates, who, even jointly considered, may indeed bark, but cannot bite. Here it may be not very improperly observed, that when ever these worthy Gentlemen had a mind to have any little story of their own hatching, in relation to *Green's* Case, propagated (no doubt) for very Honourable Ends, if they durst not adventure on it directly themselves, they had no more to do, but to have it dropt into the Mouth of some one or other of *Green's* and his Crew's Modest Familiar friends, who claim a Right by Custom, time out of memory, to habilitate out whatever comes uppermost, without regard to the Verity or Falsity thereof, and think that, by the same Custom, they may plead Exemption too from being punished, because they commonly and Judges, Solicitors, and other Persons of civilised Manners, very loath (if they can find it) to come the Lists with Women of such Character. However, I would advise them to consider now, that as they have already oversteer'd their partial belief of their domestic Friends, and have requir'd more than ordinary Oiling of Allowance in short, as also more, not so much any longer in tempting an over-zealous Parliament so much farther, lest the result thereof may probably consist upon themselves with unexpected Vengeance; for I dare assure them, that if they take not this Charitable Admonition in good part, and for the future are not their tongues better than some of them, at least have done their worst, they may depend upon it, that if the Laws of Scotland can reach them, they shall be mounted as high as Captain *Green*, tho' after a different manner. I know who has a List of those Venerable Matrons and Modest Virgin-Young Women, who went to take their last view of *Green's*, *Madder's* and *Simpson's* Dimensions, at their Chesting, I know too what they then said, and I know who is not a Stranger to the worthy Histories of some of their Illustrious Lives: And I suppose too, they are so expert in the Art of Guesing by Winking, they'll easily understand my meaning, without the help of an Expofitor.

Possibly by this time, the Reader may come to think that I am somewhat angry; well, he may think so, if he think fit, but I'll assure him I am very calm within my self, and think my self so very little concern'd in comparison with the Honour and Justice of the Nation, that if these two had not been so impudently, tho' ignorantly, traduced and abused by the very Refuse, and vile Scum of the Nation, I had not set Pen to Paper upon this Subject: But now, since I have begun, and have a clean Breast, clean Hands, and honest Intention, I shall (GOD willing) as Occasion serves, both write and speak freely. The Reader may think too, that I have bestowed some coarse and very homely Complements on *Spotiswood*, *Alexander*, &c. Why, truly I own I have done so, but I am ready to make good my Charge, and they have themselves to thank for it, as having been aggressors to a most unsufferable degree. *Spotiswood* and *Alexander* might very justly have pled their Clients Cause (as much worthier Gentlemen, and by far more able Lawiers, who were retain'd for *Green*, have done) with all the Force of Law, Reason and Rhetorick that they were capable of: And *Stuart*, both *Gilbert* and *Peter*, might very Honestly, in the ordinary way of their Calling, as Factors, have answered Bills, and paid Money, or have done any thing of that Nature for Captain *Green* and his Crew; and *John Stuart* too, in the ordinary way of his Calling; either as a Writer, Advocat's Servant, or Agent, might have likewise served them after the same manner that is commonly practis'd in all lawful Solicitations about Processes: But that Men of such Professions, should be so mean as, for the sake of a little pityful Gain, to divest themselves of all Natural Regard to the Honour of their Country, and to their own and other Men's Reputations too, servily condescend to do unworthy things, wholly without the Spheres of their several and respective Employments, and devise, assert, or propagate scandalous Insinuations and Stories, which in their Consciences they could not but have known to be very unwarrantable; and that *Spotiswood* in particular, should stoop so very low as to meet in little, blind, nasty Ale-houses, with such an abject Thing as *Burnet*, to hatch scurrilous Speeches, and other unworthy Contrivances for throwing Dirt in the very Face of the Government, and Justice of the Nation, is what cannot be thought of by any good Man, but with the utmost degree of Scorn and Indignation. Yea further, had none of these Blades, nor their Confederates, gotten any more by the Bargain, from first to last, than poor Mr. *Mackenzie*, of whom there has been so much talk't, for his having seized the Ship, &c. (which, as I am positively assured, is, not a single Penny, or Penny-worth, or so much as the Promise thereof, from any Mortal, to this good hour) I que-

tion very much, whether we had ever been troubled with half the Noise and Non-sense about Captain Green's pretended innocence that we have been pester'd with, these several days past, by the means of his pretended last Speech, and the real Author thereof, and his worthy Confederates.

As to what further I intended to have said, either concerning Captain Green and his Crew in particular, or concerning their Freighters and Owners Instructions, and manner of Correspondence, I shall reserve the consideration thereof, till I have leisure to write an intended Appendix, for supplying what may be wanting in these hasty Sheets, being now necessarily diverted by other Business.

But by what has been said, the candid Reader may very clearly see what a sandy Foundation all these Persons do walk upon, who have hitherto, either here, or any where else, so unaccountably asserted the imaginary Innocence of Captain Green and his Crew, and have been so very credulous, as to yield any Belief to the scandalous, and altogether groundless Informations contain'd in Green's and Muller's pretended last Speeches, with relation to the late Proceeding of false Witnesses against them. For altho men had been so wicked as to be capable of stooping to so mean and sinful an Office, I cannot think of any one Man in Scotland, who could (as the Case stood) propose to himself any Interest, by aiming at their personal Lives, but in so far as it tended to the doing Justice on Offenders.

Such of those Criminals as have already suffer'd, have their Fate; and as for the rest of them, who are still under Sentence of Death, I would not advise them to abuse the great Mercy and extraordinary Indulgence that they have met with, from Time to Time, but to lay all their Faith on the continuance of it. All I shall say to them is, to reflect more on their bypast Lives, and to take to heart what the Apostle Paul wrote to the Romans on another Occasion. *Rom. XI. xi. Behold therefore the goodness and mercy of our Lord God: whereby he will not that any should perish, but that all should come to repentance.*

I have now said all that I thought fit to say on this Occasion, and I shall leave the Consideration of the Matter to the Reader's own Thoughts.

And I am, Sir, Your Obedient Servant, J. M.

E N D

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